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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

17 VALERIE CASHON, on behalf of herself  
and all others similarly situated,

18 Plaintiff,

19 v.

20 KINDRED HEALTHCARE  
OPERATING, INC., a Delaware  
21 Corporation; GENTIVA CERTIFIED  
HEALTHCARE CORP., a Delaware  
Corporation; and DOES 1 through 15  
22 inclusive,

23 Defendants.

Case No. 3:16-cv-04889 RS

JOINT STIPULATION TO FURTHER  
EXTEND DEADLINE TO FILE MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT AND  
HEARING ON MOTION FOR  
PRELIMINARY APPROVAL;  
**[PROPOSED] ORDER**

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24 Attorneys for Defendants  
25 KINDRED HEALTHCARE OPERATING, INC. and GENTIVA  
26 CERTIFIED HEALTHCARE CORP.  
27  
28

1 Plaintiff VALERIE CASHON (“Plaintiff”) and Defendants KINDRED  
2 HEALTHCARE OPERATING, INC. and GENTIVA CERTIFIED HEALTHCARE CORP.  
3 (“Defendants”) (collectively, the “Parties”), through their respective counsel, hereby stipulate,  
4 subject to Court approval, as follows.

5 WHEREAS, on November 19, 2017 the parties participated in mediation in this  
6 action;

7 WHEREAS, on November 28, 2017, Plaintiff filed a Notice of Proposed Class  
8 Settlement and Request for Preliminary Approval Hearing Date [Dkt No. 58] in which Plaintiff  
9 informed the court of a proposed settlement and sought a motion for preliminary approval of class  
10 action settlement hearing date in late January 2018;

11 WHEREAS, on November 28, 2017, the Court issued an Order Staying Currently Set  
12 Date and Setting Schedule for Preliminary Approval [Dkt No. 59] in which the Court ordered the  
13 parties to file the motion for preliminary approval by January 11, 2018 and set the hearing regarding  
14 preliminary approval on February 1, 2018 at 1:30 p.m. in Courtroom 3;

15 WHEREAS, the Parties have previously requested and the Court approved the  
16 Parties’ request to move the deadline to file the motion for preliminary approval [Dkt Nos. 61-64;  
17 70-73];

18 WHEREAS, the current deadline for Plaintiff to file her motion for preliminary  
19 approval is March 13, 2018;

20 WHEREAS, the Parties have been and continue to work diligently to prepare the  
21 long-form stipulation regarding class settlement but have not yet finalized that agreement;

22 WHEREAS, the parties need further additional time to finalize that agreement after  
23 which the motion for preliminary approval can be filed and heard;

24 WHEREAS, the parties believe that it would be most efficient for the parties and the  
25 Court to continue the deadline regarding motion for preliminary approval;

26 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to  
27 Court approval, as follows:

28 / / /

1           1. The deadline for Plaintiff to file her motion for preliminary approval currently  
2 scheduled for March 13, 2018 shall be continued to March 27, 2018; and

3           2. The hearing on Plaintiff's motion for preliminary approval currently  
4 scheduled for March 29, 2018 shall be continued to April 12, 2018 or the Court's earliest available  
5 hearing date thereafter.

6           IT IS SO STIPULATED.

7

8 Dated: March 13, 2018

9           \_\_\_\_\_  
10          */s/ Darrin M. Menezes*  
11          ANTHONY PEREZ  
12          CHARLES L. POST  
13          BRENDAN J. BEGLEY  
14          DARRIN M. MENEZES  
15          Attorneys for Plaintiff  
16          VALERIE CASHON

17

18 Dated: March 13, 2018

19           \_\_\_\_\_  
20          */s/ Lisa Lin Garcia*  
21          ELIZABETH STAGGS WILSON  
22          ALISON J. CUBRE  
23          LISA LIN GARCIA  
24          ANGELO SPINOLA  
25          Attorneys for Defendants  
26          KINDRED HEALTHCARE OPERATING,  
27          INC., and GENTIVA CERTIFIED  
28          HEALTHCARE CORP.

## ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the other signatory above.

Dated: March 13, 2018

By: /s/ Lisa Lin Garcia  
Lisa Lin Garcia

1                           **[PROPOSED] ORDER**

2                           Having considered the Parties' Joint Stipulation to Further Extend Deadline to File  
3 Motion for Preliminary Approval of Class Action Settlement and Hearing on Motion for Preliminary  
4 Approval, and good cause appearing therefor, the Court hereby orders as follows:

5                           1. The deadline for Plaintiff to file her motion for preliminary approval is hereby  
6 continued from March 13, 2018 to March 27, 2018;

7                           2. The hearing on Plaintiff's motion for preliminary approval shall be set on  
8 April 26, 2018 at 1:30 pm.

9                           **IT IS SO ORDERED**

10                          Dated: 3/14/18



HON. RICHARD SEEBORG

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